

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISIONRECEIVED
JUL 07 2008
7-7-2008MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

ANNAMMA JOB

(Name of the plaintiff or plaintiffs)

① ELIZABETH SCHMIDT (ELISA)
 ② ELLEN HODGE (③ LARRY DOLAN)
 ④ CHRISTOPHER BURNS (CHRIS)
 ⑤ MARYLYN ROBINSON (⑥ ANN MKILEY CENTER)
 ⑦ CYNTHIA KALINA (⑧ KAREN FINLEY)
 ⑨ LAURA YANDERWALL

(Name of the defendant or defendants)

KJ

FILED

JULY 31, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT08cv3838
JUDGE CONLON
MAG. JUDGE COXCOMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.
2. The plaintiff is ANNAMMA JOB of the county of LAKE in the state of ILLINOIS.
3. The defendant is AS MENTIONED ABOVE, whose street address is 1401 DUGDALE ROAD (ANN MKILEY CENTER), (city) WAUKEGAN (county) LAKE (state) IL (ZIP) 60085 (Defendant's telephone number) (847) - 249 - 0600
4. The plaintiff sought employment or was employed by the defendant at (street address) ANN MKILEY CENTER, 1401 DUGDALE RD (city) WAUKEGAN (county) LAKE (state) IL (ZIP code) 60085

5. The plaintiff [check one box]

(a) was denied employment by the defendant.

(b) was hired and is still employed by the defendant.

(c) was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about, (month) June, (day) 14th, (year) 2006.

7.1 (Choose paragraph 7.1 or 7.2, do not complete both.)

(a) The defendant is not a federal governmental agency, and the plaintiff check one box has has filed a charge or charges against the defendant asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

(i) the United States Equal Employment Opportunity Commission, on or about (month) MARCH (day) 31st (year) 2008

(ii) the Illinois Department of Human Rights, on or about (TO THE OFFICE OF
MARCH 31st 2008. EXECUTIVE INSPECTOR

(b) If charges *were* filed with an agency indicated above, a copy of the charge is GENERAL attached. YES. NO, but plaintiff will file a copy of the charge within 14 days.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

(a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.

Yes (month) _____ (day) _____ (year) _____

No, did not file Complaint of Employment Discrimination

2. The plaintiff received a Final Agency Decision on (month) _____
(day) _____ (year) _____

c. Attached is a copy of the

a. Complaint of Employment Discrimination,

YES NO, but a copy will be filed within 14 days.

(ii) Final Agency Decision

YES NO, but a copy will be filed within 14 days.

8. *(Complete paragraph 8 only if defendant is not a federal governmental agency.)*

(a) the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.

(b) the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on (month) MAY (day) 7 (year) 2008 a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [*check only those that apply*]:

(a) Age (Age Discrimination Employment Act).

(b) Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

(c) Disability (Americans with Disabilities Act or Rehabilitation Act)

(d) National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

(e) Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

(f) Religion (Title VII of the Civil Rights Act of 1964)

(g) Sex (Title VII of the Civil Rights Act of 1964)

10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).

11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.

12. The defendant [*check only those that apply*]

(a) failed to hire the plaintiff.

(b) terminated the plaintiff's employment.

(c) failed to promote the plaintiff.

- (d) failed to reasonably accommodate the plaintiff's religion.
- (e) failed to reasonably accommodate the plaintiff's disabilities.
- (f) failed to stop harassment;
- (g) retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) other (specify): Bureau of civil Affairs (BCA)

found during their investigation that violation of Federal and/or State laws in addition to Department policies or Administrative directives has occurred with respect to my allegation of harassment and unequal terms and conditions of employment on the basis of retaliation

13. The facts supporting the plaintiff's claim of discrimination are as follows:

On June 14th 2006, Elizabeth Schmidt and me were talking about me getting a fine of due to no baby sitter, when I requested time off for my children
Ms. Schmidt laughed at me & in an insulted way told me that "Why can't you Indians throw your children in the summer camp just like people do here, and she also told me that "You Indians are too spoiled, you guys don't know what to do or how to deal the situation. (Continued

14. [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. YES NO

See the attached

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff
 [check only those that apply]

- (a) Direct the defendant to hire the plaintiff.
- (b) Direct the defendant to re-employ the plaintiff.
- (c) Direct the defendant to promote the plaintiff.
- (d) Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e) Direct the defendant to reasonably accommodate the plaintiff's disabilities.

(f) Direct the defendant to (specify): be fair and professional and respect other nationality and their traditions since we all are gathered here as a team from different nationality & customs, we have to work as a team, take administrative actions as per State rules without discriminating any staff's race, color or nationality, treat everyone fairly

(g) If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

(h) Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

Annamma Job

(Plaintiff's name)

ANNAMMA JOB

(Plaintiff's street address)

1605 BELLE PLAINE AVE

(City) GURNEE (State) IL (ZIP) 60031

(Plaintiff's telephone number) (847) - 599-1914

Date: 7-7-08

I
#13
continued. DEFENDANT #1
ELIZABETH SCHMIDT (UNIT ADMINISTRATOR)
UNIT-5. shortly called as LISA SCHMIDT
LISA was my supervisor, she harassed
and insulted me several times, retaliated
me and discriminated about my color
and nationality, she even gave me
a worse evaluation (performance eval)
and stopped my promotion. I was a
very hard working employee. Spent my
extra time at work when ever needed
without any extra pay, still I got a
very bad performance evaluation from
Lisa Schmidt and Lisa gave a very
good evaluation to another female
employee (Deanna H) who was absent
more than 80% of her working hours.
Lisa also gave me an overload of
work 4 times more than my job duties
never appreciated and that over stress of
work made me causing sleeplessness, and
made my health gone down so much that
I end up in taking medication & still
continuing due to work place stress due to Lisa.

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Human Resource staff are Lisa's friend (Douna w). Lisa even went to HR and stopped my promotion as a HAB program co-ordinator by not proceeding my paper work in time. Then she harassed me and discriminated me as stated in Discrimination form #13

2) DEFENDANT #2

ELLEN HODGIE: FORMER AEST FACILITY DIRECTOR

During Dec 18th 2006, I was a witness for two employees misconduct/ unfair act at work (Lisa Schmidt and CHRISTOPHER BURNS DEFENDANT #4). which was reported to Ellen Hodge (Aest Facility director during that time) Since Ellen, Lisa and Christopher were friends Ellen never took any administrative action about this case against Lisa and Christopher, instead she send me on suspension for 2 months for reporting something. Ellen falsify all the documents or complaints regarding this case and put me on re-assignment and took no action against Chris and Lisa. Then she took retirement after I reported this case to BCA.

III Then Eken transferred me to a different work location and left me in the same area to work. I felt it was a real punishment for me to report something I needed to be reported. The new work area I was treated very bad by Karen Finley (un-unit-2) Cynthia Kalina U-2 program co-ordinator and Laura Vandewall unit Adm-1 as if I did some major mistake when I was reporting this incident to Eken H. She threatened me and harassed me & told me you may loose your job, whether you report or not so I was really scared to report at the first time, and also I was on vacation

3) Larry Dolan (INTERNAL SECURITY INVESTIGATOR) (ISI) during my interview with Larry Dolan regarding the above case, he instead of investigating this case harassed me and forced me to change my true Statement "He told me "if you were not reporting this 'Bull Shit' I should not have gone thru this investigation. You could have forget about what happened" Another officer was

IV witnessing Larry's conversation felt very bad about this convert.

4) CHRISTOPHER BURNS (HAB PROGRAM CO-ORDINATOR)
HPC OF UNIT-2.

After the above incident, Chris and me were transferred from unit 5- to unit 2. After reporting the incident about Lisa and Chris, Chris was so mad at me, I have his case load in my area to work where I noticed several times he falsify the patient's document to put me in trouble which staff are witness

5) WAVERLY ROBINSON (DEFENDANT # 5)

FACILITY DIRECTOR

After Ellen Hodge took retirement before she completed my case, it was still with Bureau of Civil Affairs (BCA) then Waverly took over. After several incident happened with Lisa after mine. Lisa went with Bulls game in Chicago took patients with her. She took her son with her during working hours in the her own car (supposed to use State vehicle) she was ignoring the patients

and took care of her son (still in the
clock) at ball games. She was using
liquor (alcohol) which Tycone Woods
(RE) staff reported and Wavervly did not
take any action about Lisa, then
patient money was stolen in Lisa's
unit and Wavervly kept quiet instead
of taking administrative action. He as
the facility director failed to do his job

6) ANN M KILEY CENTER (DEFENDANT #6)
refused to get treatment from my
work place (as above). I had an injury
on my left ankle on 5/22/07 due to
a concrete piece came out from the
outside garbage bin wall. I accidentally
stepped on the concrete piece (which
was between home # 3 Home # 8). I twisted
my ankle and got injury on my left
ankle. Started bruising and in few minutes
that ankle was swollen up & painful to
touch. It was supposed to be workers
compensation (work place injury). I went
to Emergency there kiley once and then

VI my treatment was refused by Kiley or State as a State employee I never got justice to continue my treatment several times I went to my own doctor and then my husbands insurance I was refused treatment from Kiley for my 8 weeks physical therapy and doctors appointments. NOR: MICHAEL PRICE Kiley Adjuster (CMS) told me even if it happened at work, it was a natural cause. If I broke my head and died they could have still told me this is a natural cause?

7) CYNTHIA KALINA (DEFENDANT #7)

UNIT 2- Program Co-ordinator
on 9th of April 08, I had to take a emergency personal day due to my son's sickness, I called manual leave (LOS) that I am taking Emergency personal day (EPD). Instead of giving me EPD, Cynthia Laura Vanderwall and Karen Finley decided to give me a true (unauthorized absence) without pay. These 3 staff are Lisa's friend

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VII when ever they get chance, they pick me
harass me and insult me in front of
my other staff. I being the supervisor
of the technician, I have my own
reputation in front of those staff. But
cynthia and karen never keep any
confidentiality and insulted me several
times in front of other staff. cynthia
always forced me and other staff to
do her work load, each staff have their
their own work assignment to complete
I reported against cynthia and another
staff about they doing misconduct at work
so cynthia was already mad at me for
various reasons.

8) karen Finley (defendant # 8)
UNIT ADMINISTRATOR, UNIT 2.
karen is my supervisor. karen don't like
any other staff than African-American
origin. we are the supervisors. we are
responsible for patient's clothes purchasing
and other belongings. so I had to get
money out from their cash trust fund
karen always insulted me to get the

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the money for purchases Karen always had problem. She insulted me several times and discriminated me by saying on April 08 "You Indians don't know how to spent money. I am not letting you take no money from the patient fund. etc. She always gave me and two other Staff hard time, rest of the Staff are African-American origin. She always good with them. Always yelling & screaming at me and other two Staff, insulting & harassing in front of other Staff and using bad words like 'F' g'm', 'B' words & cursing at me several times.

The above Staff's activity and bad behavior towards me gave me too much stress in my life. I had to depend on sleep medicine and other health problems due to stress at work. I need justice I am looking forward to get justice from you. Sorry for any inconvenience Thanks. Sincerely
Shirley



Rod R. Blagojevich, Governor

Illinois Department of Human Services

Carol L. Adams, Ph.D., Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

August 29, 2007

Ms. Annamma Job
1605 Belleplaine Avenue
Gurnee, Illinois 60031

Charge Number: 0307R0101E

Dear Ms. Job:

The Bureau of Civil Affairs has completed its investigation of the discrimination complaint that you filed in March, 2007. Your complaint alleged unequal terms and conditions of employment and harassment. The bases of your complaint were race, color, national origin and retaliation.

After a careful review of the evidence, it has been determined that sufficient information exists to indicate that a violation of Federal and/or State laws in addition to Department policies or Administrative Directives has occurred with respect to your allegations of harassment and unequal terms and conditions of employment on the basis of retaliation. It has been recommended that appropriate administrative follow up and/or corrective measures be initiated.

The investigation did not determine that you were the victim of unequal terms and conditions of employment on either the basis of your race, color or national origin.

The Bureau of Civil Affairs is therefore concluding its investigation of this matter, but will be following up on its recommendations.

Sincerely,

Derrick L. Davis, Sr.

Derrick L. Davis, Sr.
BCA Investigations Manager

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

FEPA
 EEOC

440-2008-04672**Illinois Department Of Human Rights**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mrs. Annamma Job

Home Phone (Incl. Area Code)

(847) 599-1914

Date of Birth

05-25-1964

Street Address

City, State and ZIP Code

1605 Belleplaine Avenue, Gurnee, IL 60031

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

IL DEPT OF HUMAN SERVICES

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(847) 249-0600

Street Address

City, State and ZIP Code

Ann M Kiley Center, 1401 Dugdale Road, Waukegan, IL 60085

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

RACE COLOR SEX RELIGION NATIONAL ORIGIN
 RETALIATION AGE DISABILITY OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

07-01-2007**05-07-2008** CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s).):

I was hired by the above named Respondent on December 15, 2005, as a Residential Service Supervisor. In or about March 2007, I filed an internal complaint of discrimination. Subsequently, I have been subjected to different terms and conditions of employment. On or about April 9, 2008, I was denied pay for an absence.

I believe that I have been discriminated against because of my national origin, East Indian, and retaliated against for engaging in protected activity, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED EEOC**MAY 07 2008**

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
 SIGNATURE OF COMPLAINANT

May 07, 2008*Annamma Job*

Date

Charging Party Signature

SUBSCRIBED AND SWEORN TO BEFORE ME THIS DATE
 (month, day, year)



Rod R. Blagojevich, Governor

Illinois Department of Human Services

Carol L. Adams, Ph.D., Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

August 29, 2007

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Sincerely,

Derrick L. Davis, Sr.

Derrick L. Davis, Sr.
BCA Investigations Manager

CMS

ILLINOIS
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
Maureen O'Donnell, Acting Director

June 5, 2007

Anna Job
1605 Belleplane Ave.
Gurnee, IL 60031

Re: Central File Number: 076-37-64
Date of Incident: 05/22/07

Dear Ms. Job:

The Risk Management Division has completed a review of your recent claim for workers' compensation benefits. Under provisions of the Illinois Workers' Compensation Act, your claim was found non-compensable.

Past decisions by the Workers' Compensation Commission have directed that if an employee's injury is the result of a risk incidental to their employment, the employee must be exposed to that risk to a greater degree than members of the general public. Our review determined that you were not placed in any greater risk than that assumed by the general public. As such, your request for benefits under the Act is not applicable and has been denied.

Please contact me if you have any questions.

Sincerely,



Michael N. Price
Liability Claims Adjuster
Division of Risk Management
(217) 557-2296

cc: CareSys
State Employee's Retirement System
WCC ~ Kathy Checalier
File

To,

MICHAEL PRICE
(CMS)

KILEY ADJUSTER

FROM, 11th JUNE '07

ANNA JO BRES
H-7813

KILEY CENTER
WKN. 1K-60085

AS I talked to you on the phone on 6/11/07. I had my injury to my left ankle on 5/22/07. I went through health line and 1st appt was on 5/31 and 2nd appt was on 6/7/07. The 2nd appt was cancelled due to denial of my medical insurance - New State. So I had to go there my own doctor and did my appt on 6/8/07 at 1015 hrs. (See notes attached). My injury was happened at work between home & 788, due to the broken edge of the main garbage can outside. The little rocks and concrete pieces were scattered around the garbage can wall, and I accidentally stepped on one of the rock or concrete piece came out from the garbage can wall.